

DAILY DIGEST Vol. 13, No. 199

October 21, 1994

The following items were adopted at the October 20 Commission meeting and released later that day:

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NEWS RELEASES

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COMMENTS SOUGHT ON NEED FOR PRIME TIME  
ACCESS RULES - MM DOCKET 94-123 (Report DC-2668, Action in Docket Case)

The Commission has begun a rulemaking proceeding to assess, in light of current economic and technological conditions, the legal and policy justifications for the Prime Time Access Rule.

Action by the Commission October 20 by NPRM (FCC 94-266).

News Media contacts: Audrey Spivack and Rosemary Kimball at (202) 418-0500; Mass Media Bureau contact: David E. Horowitz and Alan E. Aronowitz at (202) 632-7792. [Internet file name: nrmm4066.txt] Fax on Demand ID #: 2113

COMMISSION REVISES NATIONAL RADIO OWNERSHIP CAPS FOR MINORITY OWNERS; GENERALLY AFFIRMS OTHER RADIO RULES AND POLICIES - MM DOCKET 91-140 (Report DC-2670, Action in Docket Cases)

The Commission today revised the radio ownership limits to increase the national cap for minority broadcast station owners and to raise to five the number, in excess of the national limits, of minority or small business-controlled AM or FM stations in which a non-minority broadcaster may hold a non-controlling interest.

Action by the Commission October 20 by Second M&O (FCC 94-267).

News Media contacts: Susan Sallet and Patricia A. Chew at (202) 418-0500; Mass Media Bureau contacts: Jane Hinckly Halprin at (202) 632-7792 and Melanie Godschall at (202) 418-2660. [Internet file name: nrmm4067.txt] Fax on Demand ID #: 2114

FCC AUTHORIZES FIRST COMMERCIAL "LITTLE LEO" MOBILE-SATELLITE SYSTEM (Report IN-1, International Action )

The FCC has granted the application of Orbital Communications Corporation (ORBCOMM) for authority to construct, launch, and operate a non-voice, non-geostationary mobile-satellite system in bands below 1 GHz.

Action by the Commission October 20 by O&A (FCC 94-268 ).

News Media contacts: Patricia A. Chew and Susan Sallet at (202) 418-0500; International Bureau contact: Kristi L. Kendall at (202) 634-7058. [Internet file name: nrin4001.txt] Fax on Demand ID #: 2926

COMMISSION AFFIRMS AND MODIFIES VIDEO DIALTONE RULES; ASKS FOR COMMENT ON

## CERTAIN ISSUES - CC DOCKET 87-266 (Report DC-2669, Action in Docket Case)

Today the Commission took an important step in affirming its commitment to competition in the video programming market, completing a re-examination of its rules for video dialtone services.

Action by the Commission October 20 by M0&0 (FCC 94-269).

News Media contact: Susan Lewis Sallet at (202) 418-0500; Common Carrier Bureau contacts: Donna N. Lampert at (202) 418-1580; James D. Schlichting at (202) 418-1580. [Internet file name: nrcc4066.txt] Fax on Demand ID #: 2707

## COMMISSION PROPOSES ADDITIONAL RULES FOR LICENSING SMR SYSTEMS IN THE 800 MHZ BAND - PR DOCKET 93-144 (Report DC-2665, Action in Docket Case)

The Commission has proposed new rules regarding the licensing of Specialized Mobile Radio systems in the 800 MHz band.

Action by the Commission October 20 by Further NPRM (FCC 94-271).

News Media contacts: Patricia A. Chew and Susan Sallet at (202) 418-0500; Private Radio Bureau contact: David Furth at (202) 632-2443 or Greg Rosston at (202) 418-2030. [Internet file name: nrwl4021.txt] Fax on Demand ID #: 2928

## COMMISSION ADOPTS SPECTRUM ATTRIBUTION REQUIREMENTS FOR MANAGEMENT AGREEMENTS AND JOINT MARKETING ARRANGEMENTS - GENERAL DOCKET 93-252 (Report DC-2664, Action in Docket Case)

As part of its continuing effort to encourage competition in the commercial mobile radio service marketplace, the Commission today adopted rules that provide that certain types of management and joint marketing agreements create attributable interests in CMRS licensees.

Action by the Commission October 20 by Fourth R&O (FCC 94-252).

News Media contact: Susan Sallet at (202) 418-0500; Common Carrier Bureau contacts: Donna Lampert (202) 418-1580 and Leila Brown at (202) 418-1312. [Internet file name: nrwl4022.txt] Fax on Demand ID #: 2927

## COMMISSION PROPOSES ALLOCATION OF SPECTRUM TRANSFERRED FROM FEDERAL GOVERNMENT TO PRIVATE SECTOR - ET DOCKET 94-32 (Report DC-2666, Action in Docket Case)

The Commission today adopted a Notice of Proposed Rule Making that proposes to convert a large block of spectrum from Federal Government to commercial use.

Action by the Commission October 20 by NPRM (FCC 94-272).

News Media contacts: Susan Sallet and Patricia A. Chew at (202) 418-0500; Office of Engineering and Technology contact: Steve Sharkey at (202) 653-8151. [Internet file name: nret4010.txt] Fax on Demand ID #: 2929

NEW RULES PROPOSED TO INCREASE THE AMOUNT OF SPECTRUM AVAILABLE FOR COMMERCIAL USE - ET DOCKET 94-124 (Report DC-2667, Action in Docket Case)

The Commission has proposed making available 18 GHz of spectrum in the "millimeter wave" frequency bands above 40 GHz for the introduction and development of new commercial technologies.

Action by the Commission October 20 by NPRM (FCC 94-273).

News Media contacts: Audrey Spivack and Rosemary Kimball at (202) 418-0500; Office of Engineering and Technology contact: Dr. Michael Marcus at (202) 653-8110, e-mail: mmarcus@fcc.gov or David Wilson at (202) 653-8138, e-mail: dwilson@fcc.gov [Internet file name: nret4009.txt] Fax on Demand ID #: 2930

The following items were released on October 21:

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#### NEWS RELEASES

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FCC CALENDAR OF EVENTS [Internet file name: evts4002.txt] Fax on Demand ID #: 1234

FCC FILINGS [Internet file name: nrmc4007.txt]

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#### PUBLIC NOTICES

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TARIFF TRANSMITTAL PUBLIC REFERENCE LOG:  
October 20

TARIFF TRANSMITTAL PUBLIC REFERENCE LOG -  
NON-DOMINANT CARRIERS: October 20

COMMON CARRIER MOBILE RADIO SERVICE  
INFORMATION - PMS ACCEPTED FOR FILING AND  
ACTIONS TAKEN PUBLIC NOTICES

Report 16023 - BROADCAST APPLICATIONS

Report 22004 - BROADCAST ACTIONS

Report 22005 - ITFS APPLICATIONS ACCEPTED FOR  
FILING

Report CL-95-4 - COMMON CARRIER PUBLIC  
CELLULAR RADIO SERVICE INFORMATION

Report CL-95-5 - COMMON CARRIER PUBLIC  
CELLULAR RADIO SERVICE INFORMATION

Report CL-95-6 - COMMON CARRIER PUBLIC  
CELLULAR RADIO SERVICE  
INFORMATION/CELLULAR TRANSFER/ASSIGNMENT  
APPLICATIONS ACCEPTED FOR FILING

Report 1766 - PRIVATE RADIO BUREAU: October 11

thru 14

CORRECTION TO REPORT NO. 2035 - PETITION FOR  
RECONSIDERATION AND CLARIFICATION OF  
ACTIONS IN RULEMAKING PROCEEDINGS

ERRATA to PERSONAL COMMUNICATIONS  
SERVICES INFORMATION - Report 94-02, released  
September 22 - PCS BTA AND MTA - Contact: Steve  
Markendorff at (202) 418-1320

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TEXTS

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NASHVILLE, NC. Proposed allotment of Channel 259A at Nashville as that community's first local service; Comments are due December 12; replies December 27. (MM Docket 94-121 by NPRM [DA 94-1141] adopted October 12 by the Acting Chief, Allocations Branch, Mass Media Bureau)

PEOPLE'S CABLE, INC. Granted request filed by Peoples's Cable, Inc. for waiver to transfer one cable system in the Lakeland, Florida area to American Telecasting of Central Florida, Inc. (By M0&O [DA 94-997] adopted September 14 by the Chief, Cable Services Bureau and the Chief, Mass Media Bureau)

SAN JUAN MARINA. Notified San Juan Marina of its apparent liability of forfeiture in the amount of \$400 for unlicensed radio communications. (By Notice of Forfeiture [FCC 94-247] adopted September 28 by the Commission)

MABTON, WA. Effective December 5, allotted Channel 254A at Mabton as that community's first local service. Window opens December 5; closes January 5, 1995. Terminated proceeding. (MM Docket 94-23] adopted October 12 by the Acting Chief, Allocations Branch)

CABLE AND WIRELESS, INC. Granted, in part, petition filed by Cable and Wireless, Inc. for nondominant status on International Private Line Routes. (By M0&O [DA 94 - 1134] adopted October 7 by the Deputy Bureau Chief, Common Carrier Bureau)

CABLE AND WIRELESS, INC. Granted application filed by Cable and Wireless, Inc. for nondominant status on all routes employing resold International Message Telecommunications of unaffiliated U.S. carriers. (By M0&O [DA 94-1133] adopted October 7 by the Deputy Bureau Chief, Common Carrier Bureau)

CABLE AND WIRELESS, INC. Denied petition filed by American Telephone and Telegraph seeking clarification of Order, Authorization and certificate granted to Cable and Wireless, Inc. for authority to resell the services of other common carriers for the provision of switched voice service from the U.S. to Hong Kong. (By Order on Clarification [DA 94-1132] adopted October 7 by the Deputy Bureau Chief, Common Carrier Bureau)

HARSHAD PARIKH VS. AMERICAN TELEPHONE AND TELEGRAPH COMPANY. Dismissed, with prejudice, complaint filed by Harshad Parikh against American Telephone and Telegraph Company alleging that AT&T has unlawfully charged him for international services. Terminated proceeding. (By Order [DA 94-1142] adopted October 13 by the Chief, Formal Complaints and Investigations Branch, Enforcement Division, Common Carrier Bureau)

OPTEL COMMUNICATIONS, INC. Granted application filed by Optel Communications, Inc. for a license to land and operate in the United States a submarine cable extending between Canada and the United States. (By Final Cable Landing License [DA 94-1182] adopted October 20 by the Chief, International Bureau)

PANAMSAT LICENSEE CORP. Granted application filed by PanAmSat Licensee Corp. for modification of authority to construct, launch and operate a Hybrid Separate System International Communications Satellite (PAS-2); and for final authority to launch and operate a Hybrid Separate System International Communications Satellite (PAS-2). (By MO&A [DA 94-1178] adopted October 20 by the Chief, International Bureau)

EX PARTE RULES. Amended ex parte rules to provide an exemption for presentations between the Commission and the Department of Justice or Federal Trade Commission relating to telecommunications competition matters. (By Order [FCC 94-258] adopted October 7 by the Commission)

ERRATA to FM Allotment R&O's released October 7 for:  
Jackson, LA - (DA 94-1079) MM Docket 94-22  
Pioche, NV - (DA 94-1080) MM Docket 93-275  
Southern Shores - (DA 94-1078) MM Docket 92-248

ERRATUM to MO&O (FCC 94-135) released July 7 in re Applications of Blinn College at Bryan, TX and Buffalo Independent School District at Bremond, TX for IVDS Service (DA 94-1165)

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ADDENDA: The following items, released October 20, were not listed on Digest 198:

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NEWS RELEASE

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MASS MEDIA BUREAU PRESENTS REPORT ON  
RADIO OWNERSHIP

The Commission's Mass Media Bureau has presented the Commission a report on changes in station ownership that resulted for liberalization of the Commission's radio ownership regulations.

Mass Media Bureau contact: Scott Roberts at (202) 632-6302. [Internet file name: nrmm4068.txt] Fax on Demand ID #: 2115

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PUBLIC NOTICE

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COMMERCIAL MOBILE RADIO SERVICE  
INFORMATION - IMPORTANT BIDDING  
INSTRUCTIONS AND OTHER INFORMATION  
REGARDING THE AUCTION OF 30 REGIONAL  
NARROWBAND LICENSES

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SPEECH

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REMARKS OF COMMISSIONER RACHELLE B.  
CHONG TO THE AMERICAN BAR ASSOCIATION  
INTERNATIONAL INFORMATION SUPERHIGHWAY  
CONFERENCE, WASHINGTON, DC, OCTOBER 20,  
1994 [Internet file name: sprbc404.txt]

ERRATUM to Second MO&O released August 15, 1994  
In the Matter of Implementation of Section 309(j) of the  
Communications Act - Competitive Bidding - PP Docket 93-  
253

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## NEWS

October 21, 1994

FCC CALENDAR OF EVENTS

Tuesday, October 25

Commissioner Andrew C. Barrett will address the National School Board Association's Leadership Symposium, Informart, Dallas, TX, 9:15 a. m.

The FCC will conduct a Technology and Education Workshop, Room 856, 1919 M Street, N.W., Washington, DC, 10:00 a.m., in celebration of the 13th Annual National

**Consumers Week (NCW).**

The FCC will conduct a Telecommunication Fraud Workshop, Holiday Park Senior Center, 3950 Ferrara Drive, Wheaton, MD, 1:00 p.m. - 2:15 p.m., in celebration of the 13th Annual NCW.

**Wednesday, October 26**

The FCC will conduct a simultaneous multiple round auction for 30 regional Personal Communications Service licenses in the 900 MHz band (narrowband PCS), Postal Square Building, entrance North Capitol Building, 2 Massachusetts Avenue, N.E., Washington, DC, 10:00 a.m. - 9:00 p.m. each day, until bidding has closed on all licenses.

Advisory Committee on Advanced Television Service - Systems Subcommittee -Working Party 2 - Systems Evaluation and Testing will meet at PBS, 1320 Braddock Place, sixth Floor Boardroom, Alexandria, VA, 10:00 a. m.

**Thursday, October 27**

Chairman Reed E. Hundt will address the Connecticut Broadcasters Association Annual Meeting, Hartford Marriott, Farmington, CT.

David R. Siddall, Legal Advisor to Commissioner Ness will participate on a panel, "Legal/Regulatory Affairs Answers Service", National Association of Broadcasters, Los Angeles, CA, at 2:00 - 4:00 p.m.

The FCC will conduct a Reference Information Services Workshop Clinic, Room 239, 1919 M Street, N.W., Washington, DC, 10:00 a.m. - noon, in celebration of NCW.

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**Wednesday, November 2**

Commissioner Barrett will address the New York Society Analysts, Inc. Second Annual Information Superhighway Conference, 1 World Trade Center, New York NY, 12:15 p. m.

**Thursday, November 3**

Chairman Hundt will address the Princeton Club of Washington, Occidental Restaurant, Washington, DC.

**Tuesday, November 15**

Chairman Hundt will be the keynote speaker at the National Association of Regulatory Utility Commissioners' (NARUC) Annual Convention, Reno, NV, 2:00 p.m.

**Friday, November 18**

Chairman Hundt will participate in the Aspen Institute CEOs Forum, "Communications in Society," Eastern Shore, MD.

**Monday, November 21**

The FCC will conduct the Domestic Public Cellular Telecommunications Service lottery, Room 856, 1919 M Street, N.W., Washington, DC, 10:00 a.m. (rescheduled from October 19).

**Monday, December 5**

Chairman Hundt will address the Federal Communications Bar Association (FCBA) Chairman's Dinner, Washington Hilton Hotel, 1919 Connecticut Avenue, NW, Washington, DC, at 7:30 p.m.

The FCC will hold a simultaneous multiple round auction for 99 licenses to provide Personal Communications Commission (PCS) in the 2 GHz band (broadband PCS) to begin at 12:00 noon and will end at 7:00 p.m. each business day thereafter until bidding has closed on all licenses. If the auction continues into the holiday season, the FCC anticipates that it will suspend the auction from close of bidding on Wednesday, December 21, 1994 through Tuesday, January 3, 1995.

**Tuesday, December 6**

Commissioner Barrett will address the World Telecommunications Conference, London International Continental Hotel, London, England.

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